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CBS lawyer attacks Rostow's testimony

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NEW YORK—CBS attorney David Boies used everything from the Pentagon Papers to memorandums signed by the witness himself Tuesday to shake the testimony of Walter W. Rostow, a defense witness for Gen. William B. Westmoreland's libel suit against the network.

Rostow, President Lyndon B. Johnson's national security adviser, has insisted that Westmoreland did not tell Johnson in April, 1967, that the Vietnam War was being won by attrition.

In Monday's testimony, Rostow denied that the issue of enemy troop strength ever had come up at a 1967 briefing of Johnson, the joint chiefs of staff and cabinet officers.

But Rostow wavered Tuesday and, caught in a bewildering thicket of figures and dates from 17 years ago, admitted that his memory may have been faulty on several key points.

BOIES PRESSED HIS cross-examination by contrasting Rostow's testimony with conflicting accounts of the meeting both in the Pentagon Papers, an internal Defense Department memorandum of historical data on the Vietnam War that was leaked to the press, and in memorandums Rostow had signed but said he had forgotten.

Rostow made a point-by-point denial Monday of a portion of a 1982 CBS documentary in which Mike Wallace said Westmoreland told the President enemy forces had declined to 285,000 and that the war had reached the "crossover point" at which more Viet Cong were being killed or captured than could be recruited.

The documentary, "The Uncounted Enemy: A Vietnam Deception," accused Westmoreland of deliberately underreporting enemy troop strength figures to make Johnson, the Congress and the American people think the war was being won.

Westmoreland, claiming libel, is suing CBS for \$120 million.

THE LBJ BRIEFING by Westmoreland, denied by Rostow who said he had attended the meeting in question, also is confirmed in the Pentagon Papers entered into evidence over the objection of Westmoreland's Washington attorney, Dan Burt.



AP Laserphoto

Walt Rostow arrives at court in New York to testify in the trial of Gen. William Westmoreland's libel suit against CBS Monday.

Rostow repeated that he did not remember Westmoreland saying what CBS reported, adding that he could not recall that John McNaughton, a coauthor of the Pentagon Papers, was present at the meeting.

Rostow stuck by his story that he never personally discussed enemy

troop strength figures with Johnson and said he has no "documentary evidence" that the President was aware of a higher troop level than reported by Westmoreland.

Of disclosures at the trial, both in memos signed and forgotten by himself and in data from the LBJ library, Rostow told Burt, "I'm learning a lot about what I did 15 to 20 years ago."

ROSTOW TESTIFIED that he had known of a dispute between CIA analysts and Westmoreland's intelligence officers over troop-strength figures and said he took steps to resolve it, but that he never discussed the figures with Johnson.

The testimony appeared to contradict Westmoreland's version given in an interview with Wallace for the documentary.

In a transcript of a segment of the interview, videotaped but never used in the broadcast, Wallace asked Westmoreland whether he had said the "crossover" point, in which U.S. forces finally were winning the war of attrition, had been reached.

WESTMORELAND ANSWERED, "That was a statement of fact, yes."

When Wallace asked him if he had given the President "the straight dope" when he told him enemy forces had "leveled off at 285,000," Westmoreland answered, "You're correct."